

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOHN DOE,

Plaintiff,
-against-
DISCOVERY ORDER

THE CITY OF NEW YORK, NYPD SERGEANT ISAIAS
MARTINEZ, and NYPD OFFICERS JOHN AND JANE
ROES #1-10,

22-cv-02690-PKC-KHP

Defendants.

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Defendants the City of New York (the “City), and Sgt. Isaias Martinez, and plaintiff “John Doe,” respectfully submit this Proposed Order to unseal certain records maintained by the Office of the Special Narcotics Prosecutor.

WHEREAS, the parties have sought production of the non-privileged files of the Office of the Special Narcotics Prosecutor (“OSNP”) regarding the criminal prosecution of the plaintiff that is the subject-matter of this action;

WHEREAS, the OSNP has stated that although certain discovery materials were previously unsealed and ordered produced by the Court, there are additional materials that remain subject to state court orders requiring the confidentiality or sealing of certain filings and proceedings in the criminal case;

WHEREAS, the OSNP has stated that it takes no position with respect to the entry of an Order in this case requiring the production of such materials on a confidential basis; and

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DATE FILED: 9/18/2023

WHEREAS, the parties have agreed that disclosure of these materials is appropriate in discovery in this case and that any materials produced by the OSNP shall be designated Confidential under the Confidentiality Stipulation and Order entered in this matter;

ACCORDINGLY, it is hereby Ordered that any records maintained by the prosecuting offices that handled the prosecution of the criminal case that is the subject of this action shall be produced to the parties in this matter (to the extent not otherwise privileged), notwithstanding any state court orders sealing or deeming confidential such materials, and that all materials produced pursuant to this Order shall be deemed Confidential under the Confidentiality Stipulation and Order entered in this matter.

Dated: New York, New York
 September 18, 2023

SO ORDERED:

Katharine H Parker
HON. KATHARINE H. PARKER
UNITED STATES MAGISTRATE JUDGE